

"EXPRESS MAIL CERTIFICATE"
"EXPRESS MAIL" MAILING LABEL NUMBER EL808220358US
DATE OF DEPOSIT 22 OCTOBER 2001

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Attorney Docket No. P32292

INTERNATIONAL APP. NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
PCT/GB00/01520	19 April 2000	23 April 1999

TITLE OF INVENTION

POLYMORPH OF 5-[4-[2-(N-METHYL-N-(2-PYRIDYL)AMINO)ETHOXY]BENZYL]-THIAZOLIDINE-2,4-DIONE, MALEIC ACID SALT

APPLICANT(S) FOR DO/US

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PRELIMINARY AMENDMENT

Preliminary to the examination of this application, Applicants respectfully request amendment of the above-identified application as follows:

In the Specification:

Kindly add the Abstract enclosed herewith on a separate sheet, at the end.

In the Claims:

Please cancel claims 11-13.

Please amend claims 1, 3-8 and 14 as follows:

1. (Amended) A polymorphic form of 5-[4-[2-(N-methyl-N-(2-pyridyl)amino)ethoxy]benzyl]thiazolidine-2,4-dione, maleic acid salt (the Polymorph) comprising:

- (i) an infra red spectrum containing peaks at 1763, 912, 856 and 709 cm⁻¹; and/or
- (ii) a Raman spectrum containing peaks at 1762, 1284, 912 and 888 cm⁻¹; and/or
- (iii) a solid-state ¹³C nuclear magnetic resonance spectrum containing peaks at 111.0, 113.6, 119.8, 129.1, 130.9, 131.8, 134.7, 138.7, 146.5, 152.7, 157.5, 169.5, 171.0, 178.7 ppm; and/or
- (iv) an X-ray powder diffraction (XRPD) pattern which gives calculated lattice spacings at 5.87, 5.30, 4.69, 4.09, 3.88, 3.61, 3.53 and 3.46 Angstroms.

3. (Amended) A Polymorph according to claim 1, which provides a Raman spectrum substantially in accordance with Figure II.